

REMARKS**Status of the Claims:**

Claims 91-112, 114-130, and 132-134 are currently pending. Claims 1-90, 113, 117, and 131 have been canceled without prejudice or disclaimer of the subject matter claimed therein.

Amendment to the Claims:

Claims 91, 99, 114-116, 118, and 127 have been amended.

Claim 91 has been amended to add the stabilizers of claim 113, to delete some of the original stabilizers, and to exclude specific classes of compounds recited in the specification. Representative support for the amendment to claim 91 can be found in canceled claim 113, on page 12, line 27, and on page 13, lines 8 and 26.

Applicants note that the exclusionary limitation added to claim 91 is merely to help define the claimed invention from the prior art. As such, this limitation is not prohibited new matter. *In re Johnson and Farnham*, 194 USPQ 187, 196 (CCPA 1977).

Claim 99 has been amended to correct its dependency.

Claims 114-116 and 127 have been amended to depend upon a pending claim.

Claim 118 has been amended to correct an obvious typographical error.

The amendments to the claims do not introduce prohibited new matter.

Objection to Claim 127

Claim 127 has been objected to for depending on a canceled claim.

Claim 127 has been amended to depend from claim 91 which is a pending claim. Therefore, the objection is no longer applicable.

Rejection Under 35 U.S.C. § 102

Claims 91, 92, 98-108, 110-123, and 127-134 are rejected under 35 U.S.C. § 102(b) as being anticipated by Platz *et al.*

Claim 91 has been amended to exclude a sensitizer from the sample to be irradiated. Claims 92, 98-108, 110-123, and 127-134 are dependent upon claim 91, and therefore also exclude a sensitizer from the sample.

Unlike the claimed invention, the reference of Platz *et al.* requires the addition of a chemical sensitizer to the sample prior to irradiation. Accordingly, the reference of Platz *et al.* does not anticipate the claimed invention.

Rejection Under 35 U.S.C. § 103

Claims 93-97, 109, and 124-126 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Platz *et al.* as applied to claims 91, 92, 98-108, 110-123, and 127-134 above and further in view of Kapanin *et al.* or Le Maire *et al.*

The amendment to claim 91 is discussed above. Claims 93-97, 109, and 124-126 are dependent upon claim 91. Accordingly, claims 93-97, 109, and 124-126 also exclude a sensitizer from the sample.

The deficiencies of Platz *et al.* are discussed immediately above. Neither Kapanin *et al.* nor Le Maire *et al.* cure the deficiencies of Platz *et al.* because they do not disclose excluding a sensitizer from the sample. Kapanin *et al.* and Le Maire *et al.* are relied upon for disclosing irradiation of biological materials at low temperatures. Thus, there is no motivation to combine the cited references and to modify the method of sterilization disclosed in the cited references to obtain the method recited in the claims with reasonable expectation of success. Accordingly, the combination of the cited references does not render the claimed invention obvious.

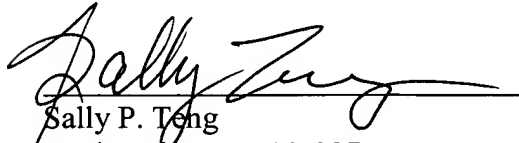
Conclusion

The foregoing amendments and remarks are being made to place the application in condition for allowance. Applicants respectfully request reconsideration and timely allowance of the pending claims. A favorable action is awaited. Should the Examiner find that an interview would be helpful to further prosecution of this application, she is invited to telephone the undersigned at her convenience.

If there are any fees due in connection with the filing of this amendment, please charge the fees to our Deposit Account No. 50-310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

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